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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION

CONCEPCION MAGANA,

Plaintiff,

vs.

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,

Defendant.

Civil No. 1:21-cv-00425-DAD-SKO

RESPONSE TO MOTION FOR
ATTORNEY FEES (STIPULATED
SETTLEMENT); ORDER ON
STIPULATION AND DENYING MOTION
AS MOOT

(Docs. 23 & 24)

The parties, acting through their respective counsel, hereby stipulate that Plaintiff should be awarded a negotiated amount of \$5654.00 in fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(d), plus costs of \$225.00 under 28 U.S.C. § 1915(f)(1).

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DATED: March 8, 2022

Respectfully submitted,

PHILLIP A. TALBERT
Acting United States Attorney

WILLY LE
Acting Regional Chief Counsel, Region X
Social Security Administration

/s/ David J. Burdett
DAVID J. BURDETT
Special Assistant United States Attorney

/s/ David J. Burdett FOR
DAVID F. CHERMOL
(per authorization)

ORDER

Based on the foregoing stipulation of the parties (Doc. 24), it is ORDERED that Plaintiff is awarded attorney fees under the Equal Access to Justice Act (EAJA) in the amount of \$5654.00 and \$225.00 in costs. Subject to any offset under the Treasury Offset Program, payment of this award shall be made via the Law Offices of Chermol & Fishman, LLC. If EAJA fees and costs are not subject to any offset and an assignment is provided to SSA, the award shall be paid directly to the order of David F. Chermol. All checks must be mailed care of the Law Offices of Chermol & Fishman.

It is further ORDERED that Plaintiff's motion for attorney's fees (Doc. 23) is DENIED as MOOT.

IT IS SO ORDERED.

Dated: March 8, 2022

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE